

VIOLATIVE SALES OF PRESCRIPTION DRUGS

3961. Misbranding of thyroid tablets and methamphetamine hydrochloride tablets. U. S. v. David Rowe. Plea of nolo contendere. Fine of \$100, plus costs. (F. D. C. No. 33758. Sample Nos. 12741-L, 36622-L, 36629-L.)

INFORMATION FILED: January 28, 1953, Western District of Kentucky, against David Rowe, a partner in the partnership of the Rowe Drug Store, Louisville, Ky.

NATURE OF CHARGE: On or about April 17 and 24, 1952, while a number of *methamphetamine hydrochloride tablets* and *thyroid tablets* were being held for sale at the Rowe Drug Store, after shipment in interstate commerce, the defendant caused a number of tablets of the drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded as follows:

Section 502 (b) (1) the repackaged *methamphetamine hydrochloride tablets* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 502 (b) (2), each of the repackaged drugs failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (f) (1), the labeling of each of the repackaged drugs failed to bear adequate directions for use; and, Section 502 (f) (2), the labeling of the repackaged *methamphetamine hydrochloride tablets* failed to bear adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

On or about April 28, 1952, while a number of *thyroid tablets* were being held for sale at the Rowe Drug Store, after shipment in interstate commerce, David Rowe caused a number of the tablets to be dispensed without a prescription from a practitioner licensed by law to administer such drug. This act of dispensing was contrary to the provisions of Section 503 (b) (1) and resulted in the dispensed drug being misbranded.

DISPOSITION: March 13, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$100, plus costs.

3962. Misbranding of thyroid tablets, methamphetamine hydrochloride tablets, and tablets containing a mixture of sulfacetimide, sulfadiazine, and sulfamerazine. U. S. v. Frank C. Miller, Sr. (Miller's Drug Store), and Silvio Pesa. Pleas of guilty. Each defendant fined \$100, plus costs. (F. D. C. No. 33760. Sample Nos. 12385-L, 36618-L, 36630-L.)

INFORMATION FILED: January 28, 1953, Western District of Kentucky, against Frank C. Miller, Sr., trading as Miller's Drug Store, Louisville, Ky., and Silvio Pesa, a pharmacist.

NATURE OF CHARGE: On or about April 3 and 9, 1952, while a number of *thyroid tablets* and *tablets containing a mixture of sulfacetimide, sulfadiazine, and sulfamerazine* were being held for sale at Miller's Drug Store, after shipment in interstate commerce, Frank C. Miller, Sr., caused a number of *thyroid tablets*, and both of the defendants caused a number of the "sulfa" tablets, to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged tablets being misbranded as follows:

Section 502 (b) (1), the repackaged "sulfa" tablets failed to bear a label containing the name and place of business of the manufacturer, packer, or

distributor; Section 502 (b) (2), all the repackaged tablets failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (e) (2), the repackaged "sulfa" tablets failed to bear a label containing the common or usual name of each active ingredient of the tablets; and, Sections 502 (f) (1) and (2), the labeling of all the repackaged tablets failed to bear adequate directions for use and adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

On or about April 28, 1952, while a number of *methamphetamine hydrochloride tablets* were being held for sale at Miller's Drug Store, after shipment in interstate commerce, Frank C. Miller, Sr., and Silvio Pesa caused a number of the tablets to be dispensed without a prescription from a practitioner licensed by law to administer such drug. This act of dispensing was contrary to the provisions of Section 503 (b) (1) and resulted in the dispensed drug being misbranded.

DISPOSITION: March 13, 1953. Plea of guilty having been entered by the defendants, the court fined each defendant \$100, plus costs.

3963. Misbranding of diethylstilbestrol tablets and methamphetamine hydrochloride tablets. U. S. v. Harold W. Krupp (Krupp Drug Co.), and Sidney W. Fine. Pleas of nolo contendere. Fine of \$100, plus costs, against each defendant. (F. D. C. No. 33759. Sample Nos. 12084-L, 12111-L, 36626-L.)

INFORMATION FILED: January 28, 1953, Western District of Kentucky, against Harold W. Krupp, trading as the Krupp Drug Co., Louisville, Ky., and Sidney W. Fine, a pharmacist.

NATURE OF CHARGE: On or about April 4 and 24, 1952, while a number of *diethylstilbestrol tablets* and *methamphetamine hydrochloride tablets* were being held for sale at the Krupp Drug Co., after shipment in interstate commerce, various quantities of the drugs were repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded as follows:

Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (2), the repackaged *diethylstilbestrol tablets* failed to bear the common or usual name of each active ingredient of the drug; and, Sections 502 (f) (1) and (2), the labeling of the repackaged drugs failed to bear adequate directions for use and adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users. Harold W. Krupp was charged with causing the acts of repacking and dispensing with respect to each of the drugs, and Sidney W. Fine was joined as a defendant in the count of the information relating to the above-mentioned *methamphetamine hydrochloride tablets*.

On or about April 28, 1952, while a number of *methamphetamine hydrochloride tablets* were being held for sale at the Krupp Drug Co., after shipment in interstate commerce, Harold W. Krupp and Sidney W. Fine caused a number of the tablets to be dispensed without a prescription from a practitioner